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JAN 2 6 2007
DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

In re Application of:

Brian W. CASTO, et al.

Serial No.: 10/804,493 Filed: March 18, 2004

Attorney Docket Number: ICN.P0001

Title: SECURE INTEGRATED MOBILE INTERNET PROTOCOL TRANSIT CASE

DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37

C.F.R. § 1.102 & M.P.E.P. §

708.02

This is a decision on the petition filed on November 13, 2006 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DENIED**.

## REGULATION AND PRACTICE

To be eligible for accelerated examination under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), the following conditions must be satisfied:

- 1. The application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
- 2. The application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours;
- 3. The application, at the time of filing, must be complete under 37 CFR 1.51 and in condition for examination;
- 4. The application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

The application as filed is not eligible for the accelerated examination under 37 C.F.R. § 1.102(d) because it was not filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; and because the petition was not filed together with the application on or after August 25, 2006.

For the above-stated reasons, the petition is denied. Therefore, the file will be taken up by the examiner in its regular turn.

Any inquiry regarding this decision should be directed to Krista Zele, Quality Assurance Specialist, at (571) 272-7288.

Krista Zele

Quality Assurance Specialist Technology Center 2600

Communications